



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
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ARLINGTON, VA 22202-3231

NGB-J1

23 August 2006

MEMORANDUM FOR ALL JFHQ – States J1

SUBJECT: Military Retirement Credit for Certain Service Performed by National Guard Members Following the Terrorist Attacks of September 11, 2001 (J1-06-025)

1. Reference Assistant Secretary of Defense for Reserve Affairs memorandum, August 8, 2006, subject: Military Retirement Credit for Certain Service Performed by National Guard Members Following the Terrorist Attacks of September 11, 2001 (Encl 1).
2. The purpose of this memorandum is to disseminate the Assistant Secretary of Defense for Reserve Affairs (OSD/RA) policy guidance and to establish the National Guard policy and general procedures to implement Section 514 of Public Law 109-163, the National Defense Authorization Act for Fiscal Year 2006 (NDAA FY06). This memorandum contains guidance for the Army National Guard (ARNG) and Air National Guard (ANG) and is applicable to all current, former and retired National Guard members who meet the eligibility requirements described below. The ARNG and ANG will issue specific implementing instructions under separate cover.
3. The NDAA FY06, signed by the President on January 6, 2006, provides all National Guard (NG) Soldiers and Airmen who performed full time State Active Duty (SAD) service on or after September 11, 2001 and ending on September 30, 2002 in support of the federal declaration of emergency following the terrorist attacks on the United States on September 11, 2001, with federal military retirement credit for that time served in the following covered disaster counties: (1) In the State of New York: Bronx, Kings, New York (boroughs of Brooklyn and Manhattan), Queens, Richmond, Delaware, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester; and (2) In the State of Virginia: Arlington.
4. This authorization of federal military retirement benefits for SAD service is both specific and limited. This authorization does not extend to any other form of federal benefits.
5. Since there is no central data base of NG members who performed SAD following the terrorist attacks on September 11, 2001, it is incumbent upon each state to identify and document those NG members who performed eligible duty for their state. While most of the service was likely performed by the NG members of the States of

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New York or Virginia, all other states should research their records and advertise this memorandum to reach all potential eligible NG members of their state who may have performed duty in a designated county of New York or Virginia.

6. State Responsibilities:

a. Research state records for SAD for the period on or after September 11, 2001 and ending on September 30, 2002 to identify potential eligible NG members. From these state records, identify those members who performed SAD in the covered counties of New York or Virginia.

b. Prepare an NGB Form 514 (Encl 2) for each eligible member which validates the SAD was performed during the allowed time period in one of the covered counties. NGB Form 514 is also located on Guard Knowledge Online (GKO).

c. Each certificate must be signed by a certifying official (the same certifying official who would normally sign DA Form 1379 or 1380 or the Military Personnel Flight Commander or Superintendent).

d. File a copy of the completed NGB Form 514 in the member's Unit Personnel record (permanent record). Also, provide the member with copy of certificate for member's personal records.

e. Submit completed copies of the NGB Forms 514 to the appropriate offices which update retirement points for National Guard members. This will be in accordance with ARNG and ANG implementing policies and procedures.

f. Maintain for a period of three years all documentation pertaining to the certification. This documentation includes:

(1) Copy of completed NGB Form 514 on each NG service member

(2) Copies of State pay records and NG service member's orders

(3) Copies of documentation which verifies NG service member performed duty in covered county location. Examples of this documentation could include duty rosters; supervisor's signed statement or commander's verification.

g. In addition to completing the NGB Form 514 on each member, all states with eligible NG members are required to certify a master listing (Encl 3) which contains the names of the NG members in their state who performed SAD during the allowed time

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period in one of the covered counties. This master list of eligible members must be signed by the United States Property and Fiscal Officer (USP&FO) to certify that each member on that list performed the duty during those dates and at those locations.

h. To comply with OSD's reporting requirement contained in the referenced memo, this signed master list from each state will be sent to the NGB points of contact listed below. For ARNG members send to Mr Peter Guerrant at peter.guerrant@us.army.mil, (703) 607-9163, and for ANG members send to TSgt Andrew Bair at Andrew.Bair@ngb.ang.af.mil, (703) 607-0901. The master list report must be sent to these points of contact no later than November 1, 2006.

7. Member Responsibilities:


a. Notify the military personnel office if member believes he/she is eligible for military retirement credit under this policy guidance.

b. Provide military personnel office copies of any pertinent documentation such as orders or duty rosters to assist in verification.

8. If a member has already retired from the NG or transferred to another component of the Armed Forces, the member should contact the state where they were assigned when they performed the eligible SAD in New York or Virginia and provide the appropriate documentation which verifies the SAD authorized to be credited. The state will then follow the same state responsibilities procedures as outlined above.

9. For questions concerning this policy memorandum, please contact Ms. Sue Pinto at sue.pinto@ngb.ang.af.mil or (703) 607-1281.

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KEVIN J. CROWLEY
Deputy Director, Manpower and Personnel
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